

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

LORENA NELSEN,

Plaintiff and Appellant,

v.

LEGACY PARTNERS RESIDENTIAL,
INC.,

Defendant and Respondent.

A132927

(San Francisco City & County
Super. Ct. No. CGC-10-501912)

ORDER MODIFYING OPINION
AND DENYING REHEARING

[NO CHANGE IN JUDGMENT]

It is ordered that the opinion filed herein on July 18, 2012, be modified as follows:

1. On page 19 of the opinion, delete the second full sentence on the page that begins, “It cites no prior legislative expression,” and replace it with the following sentence:

It cites no clear precedent for its holdings that “an individual who files a class . . . action regarding wages, hours or working conditions” is per se “engaged in conduct protected by Section 7,” or that the FAA’s policy favoring arbitration must yield to the NLRA in the manner it proposes. (*Horton*, at p. 3.)

There is no change in the judgment.

Appellant’s petition for rehearing is denied.

Dated:

Margulies, Acting P.J.